

### III. REMARKS

1. Claims 1-3, 6-9 and 13-20 are not unpatentable over Honkasalo et al. ("Honkasalo") (US 5,995,496) in view of Li (US 5,673,266) and Whitehead (US 6,157,616) under 35 U.S.C. §103(a).

Claims 1, 8 and 9 recite using a transmission power on a set level on the radio channel to transfer information and that one of the blocks comprises information on the "transmission power level" of the downlink data transmission to be transmitted subsequently. This is not disclosed or suggested by Honkasalo in view of Li.

In Applicant's invention, the base station transmission power information is attached to the downlink blocks being sent at the same moment or later on. In Honkasalo, information on the quality level of the uplink bursts are attached to the downlink control messages. (Col. 8, lines 11-13). However, this information cannot be contained in the uplink bursts, because unlike Applicant's invention, it is calculated afterwards by the base station based on the reception. (Col. 7, line 61 to col. 8, line 9). Unlike Applicant's invention, the quality level information in Honkasalo is based on the uplink bursts that are sent earlier by the terminal. Thus, Honkasalo, as previously noted by the examiner, does not disclose or suggest each feature of Applicant's invention as recited in the claims.

Li, in combination with Honkasalo, does not overcome the deficiencies of Honkasalo. Applicants' invention, as recited in claims 1-3 and 6-9, refers to the "power level" aspects of data transmission. As noted previously by Applicant, Li does not refer to "power level." Applicant refers to its response of September 19, 2003, Paper No. 17 which is incorporated herein by reference.

Thus, the combination of Honkasalo and Li does not disclose or suggest each feature of Applicant's invention as claimed. Whitehead, in combination with Honkasalo and Li, does not overcome the above-noted deficiencies.

First, there is no motivation to combine Whitehead with Honkasalo and Li to achieve Applicant's invention.

Whitehead relates to providing power transmission to implement transmission in the system, which is different from Applicant's invention.

Applicant deals with downlink blocks that include information on the power level used in the transmission end. In Applicant's invention as recited in claims 1, 8 and 9, the information that is transmitted includes "information (PR) on the transmission power level of said one block". Whitehead does not disclose or suggest information on the power level of a block.

Also, Whitehead relates to WLAN and not mobile cellular networks. Claim 1 relates to a mobile station. Consequently, there is no motivation to combine the teachings of Whitehead with Honkasalo or Li to achieve Applicant's invention.

The Examiner states that the field of the invention is to reduce memory usage and processing load. However, that is not relevant to Applicant's invention.

In GPRS, a data packet comprises several RLC data blocks, and each block may have different power levels. This provides more accurate and dynamic power control and therefore the mobile

station needs to be able to have a receive window working block by block.

In Applicant's invention, the aim is to control receive AGC window block by block, NOT to define transmit power levels, as is the case in Whitehead.

Furthermore, Whitehead fails to disclose or suggest that a block comprises information on the transmission power of any block.

Whitehead aims at optimal power level for uplink transmission by:

- receiving downlink transmission packet,
- evaluating path attenuation based on power level info included in downlink packet,
- storing attenuation in memory, and
- using attenuation info when transmitting uplink to same target.

Whitehead discusses a carrier power level, which is included in packet. However, this is still not a packet power level or a block power level, as described and claimed by Applicant.

If transmission fails in the Whitehead system, transmission power is increased. However this does not solve the problem addressed by Applicant's invention where the receive window needs to be at a correct level.

In Whitehead, the power level of the carrier is indicated to the receiver. This does not make Applicant's invention obvious because the carrier power level is received via system info from a network in GSM and GPRS, for example. In Applicant's invention

the "block" includes the information (PR) on the transmission power level of any block.

Col. 7, lines 59-67 and Col. 8, lines 1-11 of Whitehead merely discloses that a transmitter ID 612 and transmit power level 614 are encoded into each transmitted packet. The receiver of the packet decodes and estimates the signal attenuation of the path channel. In Applicant's invention, the successive blocks transmitted from the base station to the mobile station include information on the transmission power level of any block. Whitehead only transmits a transmitter power level, not a power level of any block.

Thus, the combination of Honkasalo, Li and Whitehead does not disclose or suggest each feature of Applicant's invention as recited in claims 1, 8 and 9. Claims 2-7 and 13-16 should be allowable at least in view of their respective dependencies.

2. Claim 4 is not unpatentable over Hamalainen et al. (US 6,359,904) ("Hamalainen") under 35 U.S.C. §103(a), because Hamalainen is not a proper prior art reference. Both Applicant's invention and Hamalainen, were at the time of Applicant's invention, commonly owned or subject to an obligation of assignment to Nokia Corp. Thus, pursuant to 35 U.S.C. §103(c), Hamalainen is not properly a prior art reference.

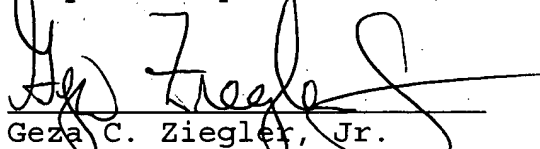
3. Claim 5 is not unpatentable over Honkasalo, Li, Whitehead and Hamalainen and further in view of Turina at least for the reasons stated above with respect to claim 4 and claim 1.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable

reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$1,020.00 is enclosed for a three-month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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15 JUNE 2005  
Date

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